Before the Federal Communications Commission Washington, D.C. 20554

In the Matter of)	
C & S Truck Wash, LLC Licensee of Citizens Band Radio Service Station)	File No. EB-09-DT-0054
)	NOV No. V200932360009
Youngstown, Ohio)	
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NOTICE OF VIOLATION

Released: April 14, 2009

By the District Director, Detroit Office, Northeast Region, Enforcement Bureau:

- 1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules¹ to C & S Truck Wash, LLC ("C & S Truck Wash"), licensee of a Citizens Band ("CB") Radio Service station in Youngstown, Ohio.
- 2. On March 24, 2009, agents of the Commission's Detroit Office and Buffalo Office monitored CB transmissions from C & S Truck Wash located at 5751 Cerni Place, Youngstown, Ohio, and observed the following violation:

47 C.F.R. § 95.413: "(CB Rule 13) What communications are prohibited? (a) You must not use a CB station... (5) To advertise or solicit the sale of any goods or services...² During the monitoring of CB Channel 19, agents heard the CB station being used to advertise truck washes.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,³ and Section 1.89 of the Commission's Rules, C & S Truck Wash, LLC, must submit a written statement concerning this matter within twenty (20) days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific actions taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective actions. The response must be complete in itself and signed by a member of C & S Truck Wash, LLC. All replies and documentation sent in response to this Notice should be marked with the File No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission Detroit Office 24897 Hathaway Street Farmington Hills, MI 48335

² 47 C.F.R. § 95.413.

¹ 47 C.F.R. § 1.89.

³47 U.S.C. § 308(b).

- 4. This Notice shall be sent to C & S Truck Wash, LLC at its address of record.
- 5. The Privacy Act of 1974⁴ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁵

FEDERAL COMMUNICATIONS COMMISSION

James Bridgewater District Director **Detroit District Office** Northeast Region Enforcement Bureau

⁴P.L. 93-579, 5 U.S.C. § 552a(e)(3). ⁵18 U.S.C. § 1001 *et seq*.